

JOURNAL
OF THE
Commons House of Assembly
OF
South Carolina

JUNE 2, 1724—JUNE 16, 1724

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1724
June

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South Carolina
JUNE 2, 1724—JUNE 16, 1724

Edited by
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S7a

1724

June

Tuesday the 2^d Day of June 1724.

The following Gentlemen mett Pursuant to his Excellency's Proclamation

The Hon^{ble} Thomas Hepworth Speak^r..

Charles Hill	} Esq ^{rs} .	And ^w .. Allen Esq ^r	}
John Lloyd		John Raven	
Joseph Wragg		John Parker	

The Speaker adjourn'd the House 'till tomorrow morning . 10 . of the Clock.

Wednesday the 3^d. day of June 1724.

The House mett according to adjournment.

Benj^mn Whittaker and Joseph Wragg Esq^{rs}.. were directed to wait on his Exc^y the govern^r.. and to acquaint him That the House is mett According to his Execy's Proclamation

The afores^d.. Gentl^m.. being return'd They acquainted the Speak^r that they had deliver'd their Message

Mr Secretary Hart brought from the Govern^r.. the following Message together with a Petition from Joseph Lazon Master of a French Sloop in this Harbour & the journal and other Papers belonging to the said Lazon as alsoe Several Paper relating to the Indian Trade

Mr Speaker and Gentl^m..

I Herewith send You the Petition of Joseph Lazon Master of the French Sloop now in this Harbour together with his journal and other papers and recommend to you That a committee of both Houses may consider of and Dispatch this affair as soon as possible, as for my own part it is my opinion That he be sent away as he came and that the French Govern^r of Movile may have notice thereof That They may not have to say That this Govern^{mt}: entice their People away or give Encouragem^t. for their desertion it is my Opinion That the French who came hither by Land or Sea have other designs than what they discover or pretend to and look upon them as Spies to discover our Barrs harbours and passages more especially this Man This being the Second time of his coming hither——

I most Cordially and earnestly recommend To you That the said Committee may consider of the affaires of the Indians and their Trade as soon as Possible and how the Country may be

eased of the Charge of maintaining them, For a Particular acct: of this affair I must refer You to the honble Coll^o. Chicken Commission^r.. to Coll^o. hastings

Cpt Hatton and the Traders now in town and their Letters, Journals & papers concerning the same by which I find That our Trade with them is verry precarious (for which I am verry sorry) That with the Creeks being partly caus'd by the French and Spaniards and some of our own Traders and by Sloops going to Trade at Movile from New York and as to that with the Cherokees and Catawbees to be chiefly caused by the Indian Traders particularly Marr and I now send you the warr^t: by which he was apprehended but how he came to be discharg'd I cannot tell. I hope effectual care will be taken to apprehend him again as alsoe those persons who stand in Defyance of the Lawes of this Province and in Contempt of the Warr^{ts}: Serv'd upon them for a particular acct of this affair I must referr to Cpt Hatton's return conserving Several of the said Warr^{ts}: herewith Sent and if these persons goe unpunished you may—expect not only to loose the Trade but also to have an Indian Warr Or at least that Trade to be carry'd to another Country Therefore I can't but again most Cordially and earnestly recom'end this affair to you and That God Almighty will direct you therein are the hopes of

Council Chamber }
June 3^d: 1724 }

Fr Nicholson

The honble Coll^o.. Bull }
Mr Gibbin } Committee
Mr.. Skene }

The Petition of Joseph Lazon Mr.. of the French Sloop now in the harb^r was Read and Committed

Charles Hill,-Walter Izard,-Thom^s.. Lynch,-George Chicken,-Benjm, Whittaker and Daniel Hugier Esq^{rs}: were appointed a Committee to meet a Committee of his Mat^{'es} Council On the Subject matter recommended in his Exellcys Message of this morning

The House adjourn'd 'till. 2 of the Clock in the afternoon

The House mett according to adjournment

Order'd That Alex^r.. Parris Esq^r Treasur Doe forthwith Lay before this H^o.. his acco^{ts}.. of the Tax for the Curr^t. Year

and what Quantity of Rice he hath rec'd On accot: of the
 sd.. Tax and how much sold and at what price and That the
 Speaker doe sign this Order

Order'd That Coll^o.. Arthr Hall Maj^r.. Jon^a Drake and Cpt.
 Christopher Wilkinson be a Committee to bring in a Bill to
 Qualify the Protestant Dissenters in this Province to Sitt
 in the Commons h^o: of Assembly according to the form of
 their profession

Mr Secretary Hart brought the following Message from his
 Exe'cy the Govern^r..

Mr Speaker and Gentl^m..—

I am verry glad you appointed a Committee to meet this
 afternoon on the affaires I recommended to you this morning
 and I think the affaires of yo^r: two Garrisons are proper to be
 referr'd to y^e sd Committee the honble Coll^o.. Chicken can give
 the best Account having soe lately Visited them and it is my
 Opinion That Our affaires as they are now circumstanc'd with
 respect to the French Spaniards and Indians require our im-
 mediate Care both with respect to those—fortifications with their
 officers Men &c^a: Supplying them with Provisions &c^a.. for I am
 apprehensive That (as they are at p^rsent managed) They will
 never answer the end They are designed for Therefore I most—
 heartily and Earnestly recommend to you this affair because it
 soe much concern's those two inseperables his Maty'es Interest
 and That of his Maty'es Province for the accomplishing of which
 (God willing) Nothing Shall be Wanting That lyes in the power
 of

Council Chamber }
 June 3^o: 1724 }

Fr Nicholson

The House adjourn'd 'till tomorrow morning - 9 - of the clock

Thursday the 4th day of June 1724.

The House mett according to adjourn^t——

Benj^m.. Whittaker Esq^r appointed, from a Committee, to con-
 sider of the Subject matter of his Exe'cy's Message of yester-
 day morning Reported That they had made some progress in that
 Committee but as there was a great deal of business to to goe
 thro' with they desir'd further time George Smith Esq^r moving
 y^t: a Publication be made at the Watch h^o: in Charles Town That
 all such persons as are willing to undertake the Repaires of

Johnson's Fort and the building a convenient armoury for the sumes provided in the Estimate of the Curr^t. Year

The h^o: Resolv'd to send the Following Message to his Exe'cy the Govern^r.. On that head——

May it please your Exe'cy

The House considering That in the Estimate for the Curr^t, Year the Sume of Six hundred pounds is provided for building a Convenient Armoury and We being of Opinion That if a Story was raised Over the Watch house in Charles Town for that purpose it would be a verry Convenient place We desire the concurrence of Your Exe'cy and his Maty'es honble Council to the same That We may give Public notice to all P^{er}sons who are willing to Undertake that worck That they may lay their proposals before this House for our Consideration and for repairing Johnson's Fort for the Sume of £1000 alsoe provided for their Service June. 4th. 1724.

The following Gentl^m.. were added to the Committee of Indian affaires Geo: Smith Benj^m.. Waring, Roger Moore Esq^r..

Benj^m: Whittaker and Geo: Smith Esq^{rs}: were appointed a Committee to bring in an Additional Bill to the Negro Act

Coll^o: Arth^r Hall and Maj^r Jon^a Drake were directed to carry the above Message to the Govern^r

Charles Hill Esq^r from the Committee appointed to consider of the affaires of the French Men made the following Report——

The Committee of both houses appointed to consider the Petition of Cpt^t.. Jos: Lazon Command^r.. of the French Sloop &ca: Wee having consider'd of the petition are of Opinion he and his Sloop's company be ordered to depart this Province with his Sloop and Cargo and That the Pilates be directed to carry him down immediately in order to gett Over the Barr tomorrow morning.

The Sloop been detain'd here „ „ „ „ by order of the government The Committee are of Opinion That he be furnished with One Barrel of Beef and Twelve pounds of Candles according to the Prayer of his Petition

The Committee thinks it looks Verry odd Cpt^t Lazon should come here a second time On the said Errand for certainly this Governm^t.. did not give him any Encouragement with his first Deserters, tho' We are informed Our Deserters are cherish'd and Encouraged amongst the French and employed in their Settlem^t:

The above Report being read was agreed to and the following Message Sent to his Exe'cy thereupon

May it please yo^r Exe'cy

This House having read and Considered The Report Of the Committee Of both houses appointed to take under their consideration the affaires of the French Men have agreed to the Same and Desire Yo^r Exe'cy's Concurrence thereto——

We find That the Law past last Sessions for Obliging the Inhabitants of this Province to ride Arm'd on every Sunday is not putt in Practice because as we apprehend the Law has not been sufficiently promulged, We therefore That the said Law may be read at the head of Of Every Company And then deliver'd to the Church Wardens of every parish

Mr Secretary Hart brought from his Exe'cy the Govern^r: the following Message together with Several Letters Papers and Accounts

Mr Speaker & Gentl^m..

I was in hopes That the honble Mr presid^t: Middleton and Cpt Schenkings would have been here Yesterday but last night I sent to them to be here this morning in order to advise with of what is proper to be sayd to You at this critical Juncture of Affaires soe I hope they will be here in the afternoon at farthest

I herewith send You the Report of the Commission^{rs} appointed for printing Bills &c^a., and most cordialy and earnestly recommend to you this affair for I don't See how't is possible to know the true State 'till all y^e.. Old Ones are bur'nt And I am in hopes That in a Month's time or Six weeks at farthest all the new Bills will be ready to be exchanged or the Sume of Three Thousand Five hundred pounds which now Lyes in the Treasurers hands (Of the Forty Thousand pounds) which may be payd into the Commission^{rs} hands to Exchange the Old Ones they returning to Him New Bills for the same as they are furnished And recommend to You that the Old Bills in the Commission^{rs} hands may be burnt as soon as possible I alsoe send you the bank Comm^{rs} Acco^t: am very glad to find they have got in soe much of the old Arrears and hope That next Year they will receive all the money due on that Acco^t: I have Sent to the Right honble The L^d.: Comm^{rs} of Trade and Plantation's These two acco^{ts}: with the Duplicates thereof That their Lordp^s may see what was done therein with his further acco^{ts}: That by March next there would

be that Ten Thousand odd hundred pounds as Likewise Twelve Thousand pounds pursuant to the Act of Assembly

I Likewise send y^o.. a Letter I received from the Honble Cpt. William Martin Commander of his Maty'es Ship Blanford concerning Powder and Men for the said Ship with the Coppy's of my Warr^t. for Men and order for Powder Coll^o Brewtons accot: of powder the Cpt: of the sd Ship's Receipt for Powder Copy's of my Letters to M^r Secrety Burchett M^r Young on the said affair and a Coppy of my Letter to the Comm^s of the Custom about Navigation

Council Chamber June 4th: 1724

Fr Nicholson

Ordered That Alexd^r.. Parris Esq^r: Treasur Doe forthwith Supply Isaac Lazon Master of the French Sloop in this harbour with a Barr^{ll}. of Beef and. 12£ Of Candles and That this Order be sent to his Exe'cy the Governour & his Maty'es honble Council for their Concurrence and That M^r.. Speaker doe Sign the same————

The House adjourn'd 'till . 2 . of the Clock in the afternoon

The House mett according to adjournment————

A Letter directed to his Exe'cy the Govern^r.. from Cpt Bellinger praying Leave to resign his office of Command of the Pallachucola Fort being referr'd to this House the following order was made on the said Letter and returned the same to his Exe'cy The within Letter was read and noe objection to the discharge of the said William Bellinger and the House desires his Exe'cy to appoint a propper P^{erson} in his Room————

Thos: Hepworth Speak^r..

On motion the following Message was sent to his Exe'cy
May it Please yo^r Exe'cy

The House reading and considering the Letter from Cpt William Martin Commander of his Maty'es Ship Blandford desiring a Supply of Gunpowder for the use of his Maty'es said Ship and finding that yo^r.. Exe'cy did think fitt to order a Supply accordingly of Twenty two barrells out of the Magazine for which Coll^o: Brewton has the Cpt of the sd Ship's Receipt for the same and finding That there is remaining in the Magazine but a small Quantity for the use of this Province We desire yo^r Exe'cy will be pleased to direct M^r Younge to apply himself to the board of Ordinance for a Return of the same Quantity of powder And

That you'll be pleas'd to send to M^r Young a Coppy of Cpt Martin's Letter and the Gunner of the Blanford's Receipt for the same in order to be layd before the said board that the Powder may be sent over as soon as Possible

M^r Secretary Hart brought the following Message togeather with a Memorial from Tho^s.. Lloyd Command^r.. of the Fortification in Charles Town to his Exe^cy the Governour——

M^r Speak^r and Gentl^m..

His Maty^es honble Council and myself have agreed to yo^r Message concerning an Amoury and Johnsons Fort and I herewith send You M^r Morris Lloyd's memorial and I most heartily and Earnestly recommend to you That some speedy and effectual care be taken about the Fortification of this Town and That it be determined what must be taken care of by private P^{er}sons as Likewise of the affair of the Ballast For Where the Ships throw it now it prejudiceth the Harbour

Council Chamber }
June 4th. 1724

Fr Nicholson

The House agreed That the Sec^yry Should draw Copp^s: of the Act to Oblige y^e Inhabitants of This Province to goe armed on every Sunday

The House adjourn'd 'till tomorrow morning . 9 . of the Clock

Friday the 5th Day of June 1724

The House mett According to adjournment——

M^r Secretary Hart brought from his Exe^cy the following Message togeather with Several Petitions, Letter to the Clergy ffrom the Govern^r.. and Several other papers—

M^r: Speaker and Gentlemen

I herewith send You Cpt Sutherland's Memorial concerning the State of Johnson's Fort which I recommend to your Consideration I alsoe send his Petition to you referd

I alsoe send you instructions formerly drawn up for the Command^r: of Johnson's Fort not finish'd and recommend That the same be now done and alsoe if you have any new additions to make I alsoe recomm^{end} to you that propper instructions be drawn up for the Command^r of Fort King George and the other Garrisons

Council Chamber }
 June 5th. 1724 }

Fr Nicholson

The following Gentlemen were appointed a Committee to burn the old Bills in the hands of the Comm^rs Mr And^w Allen- Mr Joseph Wragg-Major Jon^a Drake-Cp^t Christ^o.. Wickinson-Cp^t Peter Simmonds

The H^o.. adjour'n^d: till . 3 . of the clock in the afternoon

The h^o.. mett According to adjournment——

Mr Secretary Hart brought from his Exe^cy the Govern^r.. the following Message with Several Letters from his Exe^cy to the board of Ordinance—Mr: Secret^ry Burckett & Mr Younge

Mr Speaker & Gentl^m:

According to yo^r desire I herewith Send you my Letter to Mr Young & to the R^t honble the board of Ordinance & also the Several papers belonging to the powder affair That the Comittee of Correspondence may send them to Mr.. Younge as also Duplicates thereof and propose That the same be enterd among the Committee of Correspondente^s Papers

Honble Gentlemen

Having Oblig'd by my Oath and—Instructions to observe the Acts of Trade and Navigation & the prosecution of the Bonds being one of the principal Parts I have caus'd those which were forfeited to be put in Suit, but y^t: the Fare Traders may clear themselves I have writt to the R^t honble the Comm^rs of his Maty^es Custom's and I herewth send you a Copy thereof (I having already sent Duplicates)——

And I propose to you that an order of both houses may be made for the Committee of Correspondence to write to Mr.. Younge on that affair and send him a Duplicate of it, To hear of a good effect thereof will be very acceptable to

Council Chamb^r

Fr Nicholson

June 5th. 1724

Mr Secretary Hart brought from his Exe^cy the following Message——

Mr.. Speaker and Gentl^m..

I am verry glad That Cp^t Woodward is Come hither soe well from Port Royal and I referr you to him for a just and full Accot^{: of the affaires in those parts I design to give him the}

Commision to be Coll^o: there and I have sent a Coll^o: Commis-
sion to Cpt Palmer——

Mr Woodward acquaints me that Spotswood & Bee are gone up
the Fork above Fort King George which affair as likewise abt
Marr and others I Cordially and earnestly recommend to you
That a Speedy examination be made and orders thereupon for in
my opinion these Sort of proceedings may endanger the peace
and quiet of this his Maty's province and consequently the Loss
of your Indian Trade and if there be noe Law at present to
punish such Offenders, I shall be ready to pass one for their
punishment to be an example to others

I recommend to you That some Orders may be given con-
cerning the Fort and Great Guns at Whites point and those at
the Cutt below Lt: Coll^o: Palmers, and if there be any other
place where there are Other Great Guns, in order to prevent
their being Seiz'd by an Enemy

I likewise propose an order to be made That if there be any
Public Armes or ammunition in any persons custody That they—
give an Accot: thereof immediately to their respective Coll's in
whose district they are and that they have power to putt them in
a Condition for use and dispose of them as they Shall be advis'd
by the Field Officers and I propose to you to consider whats
to be done concerning the Look Outs and if you think proper
to continue them That You will appoint the places, I Likewise
propose to you That Public Notice be given That the Coll's: with
their Officers and Cpt's: be oblig'd (as soon as possible) to
muster their Men and see That every person have Armes and
Ammunition according to Law, both those who are to be in
alarm's, in order to w^{ch}: my Self and his Maty's honble Council
may see in what condition they are in and be able to give the
necessary orders which can't be done well without such Lists
(Signed by the Field Officers and Captain of each Company)

Council Chamber

June 5th: 1724

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Fr Nicholson

Mr.. Secretary brought the following Message together with the
Petition of Peter Manigault——

Mr.. Speaker & Gentl^m..

I propose to you——(for the Safety Of his Maty's Prov-
ince) That noe French or Spaniards whether Deserters or others
may be suffered to come into this Country by Land but That the

Command^rs: of the Forts have instructions not to suffer them to come within common Shott Of the Forts and to lett them know that at their perrill they must goe back again except they come with a Flagg of Truce and then to send one Person out to receive their Letters and see what they have to say and Lett them lye in the Wood till they have an Answer, if there be more than two lett them goe away and furnish them with Provision as they shall want——

If any French or Spaniards come by Water as Deserters soe far as the Barr & the Pilots goe on board That they acquaint them not to come into this Country upon any acco^t Whatsoever but if they have a Flagg of Truce they may be carry'd into ffive Fathom hole and one Or two of them with their papers and Letters sent up in the pilot boat but at their perills not to stir with their boat from that Place——

If they come within Land with their Canoes or Pettyaugers That the Inhabitants doe what in them Lyes to stop them and only send one or two hither and the rest not to stir from that place at their P^ril

To send you these Proposals is thought a Duty incumb ^t on Council Chamber	}	Fr Nicholson
June 5 th .. 1724		

Benj^m.. Whittaker appointed to take under their consideration the Affaires of the Indians Reported That those affaires as they now stand are of the Last consequence to the Province at this juncture they having by many concurring circumstances to much Reason to believe That Dicks Letter is true and therefore were willing to goe step by Step & have the opinion of the house on every circumstance before they proceed any further and therefore read and layd before the house the following Scheme they propos'd to pursue with the Indians if approv'd of——

Which being read and consider'd paragraph by paragraph the house Agreed to the whole——

The Talk agreed to be given to the Indians——

After We have heard what They have to say to us, if their Talk is Agreeable to us by way of Introduction We are to tell y^m. That We are pleased to hear That they have been against the Yawmasees & Congratulate with them on their Success and lett them know that thereby we are convinc'd they are our good friends and That as they have now Shown themselves to be such

That We shall on all Occasions Support them against their Enemy's when they have occasion of our Assistance and acquaint them with the Contents of Dick's Letter.

Then the following Questions may be propos'd

How Doe the Cowetaws and lower Townes take yor falling on the Yawmasees Do you think they intend to take the Yawmasees part against You

Are you under any apprehensions That the French or Spaniards or their Indians will trouble you for attaching the yawmasees Doe you want any assistance to protect you against them

The Committee think it will not be advisable to propose the foregoing Questions to the Indians unless the assurances thereby given be strictly comply'd with if the Indians demand them And therefore it is necessary to be precariously resolv'd That a Number of Men be rais'd to assist the Tallapousees ag^t: the Yawmasees and other the Enemy's of this Govern^{mt}: if they shall desire it

If the Indians fall in with Our propos'd Measures and acknowledge That the Contents of Dick's Letter to be true then 'twill be propper to remark to them that as we Send them assistance we expect they will use their Utmost Endeavours to prevent the French Settling amongst the Cowtaws and as we are enform'd Tickorrobea is threatned by the French and Spaniard for his late exploit it may be us'd as an argument to influence him That the nearer the French are to him they'd be the better able to hurt him & his friends and That the sole intention of the French Settling Fort's ag^t: them is to keep them as Slaves and prevent Our Traders carrying Goods amongst them——

M^r., Secretary Hart brought down the foregoing Report read and concurr'd to in Council

Resolved That the house will to morrow morning enter upon the debate of the Agency——

The Petition of the Inhabitants of St: John's Parish Setting forth That they have built a Chappel of ease at their own charge and praying that the said Chappel may be established by Act of Assembly was read

Order'd That the petitioners have leave to bring in a Bill according to the prayer of their Petition

The Petition of Some of the Inhabitants of St John's Parish for cutting a Creek from Newmans Path to the Govern^rs Tree was

read & leave given to bring in a Bill according to the prayer of the sd petition——

The Petition of Peter Manigault Attorney to Isaac Cordes setting forth the said Cordes had Lately Sent into this Province Six Negroes in order to Settle upon his Plantation and Praying the Duty's of the said Negro's may be remitted the Prayer of the said petition was granted the petic'on giving Security to the Public Receiver as usual—

Benjamin Whittaker Esq^r.. Lay'd before the house an additional Bill to the Act for the better ordering and Governing Negroes and other Slaves which being read the same was remitted & then the following Question was putt

The Question was putt if the full Value of all Slaves Executed by Public Authority Should be payd for by the publick according to their appraisement——

Carryed in the Affirmative

The House adjourn'd 'till tomorrow morning . 9 . of the clock

Saturday the 6th Day of June 1724

The House mett according to Adjournment——

Mr Secretary Hart brought from his Exe'cy the Govern^r.. the following Message——

Mr.. Speaker and Gentlemen

I can't but most cordially and earnestly Recommend to you That a Committee of both Houses be appointed as soon as possible to View the New Church and Appoint where shall be the Publick Pews of Several Kinds and I will goe with them and give mine Opinion therein, I also recommend to you That Something may be done abt: the old Church for the Ruinous condition it is in at present look very odd and I think somewhat dangerous for any Court to be held there I think That Something ought to be done abt.. that Church Yard by ditching or Otherwise and I also recommend to you That a new Church Yard and place for a Ministers house may be ascertained as Likewise what Shall be done about the three Publick Lotts and That the affair of the Streets may be ascertain'd & nam'd and if possible all the Lotts layd out and number'd and that Some place be appointed for the burial of Negroes because I Observe that now they are promiscuously buryed some In Lotts and some in the Streets, I think that some more proper place be——appointed for the

Gallowes & Gibbett and That the bounds of the old burying place be ascertain'd & referr you to the honble Coll^o: Bull for his Draught concerning these affaires——

I Find That Sending the Pettiaugers from the Garrisons for Provisions &c^a.. is verry inconvenient & hazardous to the Garrison both wth respect to the Men and Pettiaugers therefore I propose That Some other method may be form'd to Supply the Garrisons with provisions by Undertakers Soe that Neither the Men nor Boates come from the Garrisons Therefore I recommend That a Committee of both houses be appointed to consider this affair and then I will give my opinion it being too long to insert here should have leave to come hither but with Consent of the Assembly

The way of getting Men for the Garrisons I take to be not onely inconvenient but verry unsafe therefore the sooner these things are Consider'd the better and I shall assist the Committee therein and now that the honble Coll^o.. Chicken is Commission^r.. of the Indian affaires and Supervis^r.. of the—Garrisons that all Letters and P^{erson}'s concern'd be Sent to him for by their soe doing these affaires will the sooner be dispatchd' & with less trouble as for the three Indians they brought down to me I propose to keep two of them to Send as presents to their Royal highness's the Prince and Princess of Wales and have enquird of those concern'd' in Indian Trade who say they may sell for ab^t fifty pounds a peice wherefore to Ease the Country the Charge of the Indians I Shall give them One hundred pounds & I propose That the other Indian may be Sold towards defraying the charge & as for the Skin's a present to me I would have them sold to the best advantage towards defraying the Charge of the Indians
hon^{ble} Gentl^m..

Y^{or}.. ready and willing compliance with these proposalls will be verry acceptable to

Council Chamb^r }
June 6^o: 1726¹ }

Fr Nicholson

Several Members of this house having business at Wando Precinct which is to be held next week pray'd leave to attend That Court and the House Considering of what great Consequence

¹A remarkable error! Governor Nicholson, or the Clerk of the House, dated the message two years ahead.

the publick affaires of the province now are the Question was putt if Wando Ct.. Should be adjourn'd

Carried in the Affirmative

Mr.. Secretary from his Maty'es Council desir'd to be Enform'd if the house intended to adjourn at 12. of the clock & then withdrew and being called in was acquainted That if the Gentlemⁿ.. of the Council who are of the Committee on Indian affaires would Sett to doe business this afternoon That the house meet in the afternoon & the Secretary withdrew and soon afterwards acquainted the Speaker That the Gentl^m: of the Council would not attend in the afternoon

The the house adjourn'd 'till Monday afternoon . 4 . of the Clock

Munday the 8th day of June 1724.

The following Members mett according to adjournment

The honble Tho^s.. Hepworth Esq^r.. Speak^r..

Cha^s: Hill Esq^r:

Maj^r Jon^a Drake

And^w: Allen Esq^r:

Cp^t Jn^o: Raven

Cp^t Richard Smith

Benj^m: Whittaker Esq^r:

The Speaker adjourn'd the h^o.. till to morrow Morning . 9 . of the clock

Tuesday the. 9th. day of June 1724.

The House mett according to adjournment——

The Committee on Indian affaires attended the matters they had in Charge and then the House adjourn'd till . 2 . of the Clock in the afternoon——

The House mett According to adjournment——

Mr.. Secretary Hart brought from the upp^r h^o.. the following Message togeather with a Letter from Dav^d: Green to his Exelley from Coll^o.. Barnwel and Coll^o.. Bull's Memorial concerning Mr.. Young to the Govern^r..

Mr Speaker and Gentl^m..

I Herewith send you the hon^rble Coll^o: Will^m.. Bull's memorial concerning the The hon^rble Francis Younge Esq^r: yo^r Agent and I most heartily and earnestly recommend the affair of the Agency and I referr you to his Letter sent to the Committee of Correspondence and would have Sent his Letter to me but he writes me that most of his Letters has been Sent back which I take to be a verry

Villanous Act, but hope to be able to find Out the Authors here or in Great Britain or both and then shall Endeavour to make them Publick Examples

I Suppose by the Accot: Mr.. Young sent You it may be seen how verry Chargeable it is to have a Printer come hither and if any should I can't Suffer him to Exercise his Trade without giving verry good Security not to print any thing without License from the Government and I can't give him any for printing the Body of y^e Lawes 'till his Maty'es Royal will & pleasure be known therein soe That in my Opinion the money appropriated for a Printer may be better disposd of for the good of this his Matyes Province

Hon^{ble} Gentl^m..

I am most Cordially concern'd for the Great loss That his Matyes Province in General and more particularly That part to the Southward hath Sustain'd by the Death of the hon^{ble} Coll^o: Barnwel I have my Self been an Eye and Ear Witness of the Great Service he did for this Country in Great Britain and therefore in hopes That he might have done more if he had gone yo^r.. Agent at this Critical juncture I herewith send you this Letter to me on that Subject which I answer'd That I had an Accot: he did Designe God willing to have undertaken it I take this to be an affair of the Last Consequence for those two inseparables his Matyes Interest and Service and that of this his Maty'es Province Therefore I can't but with all heartiness & sincerity recommend to you That as soon as possible a Committee be appointed to consider thereof. I was heartily glad to hear That the affair of taking off the enumerac'on of Rice was likely to succeed and therewith send you Cpt Dan^{ll} Green's L^r: On that Subject that this hath been already done or may be as Likewise a Continuance of the bounty on Tarr & Pitch are Most Cordial and Sincere wishes and hopes of

Council Chamber }
June. 9th. 1726.. }

Fr Nicholson

Mem^{dm}: Last Sessions I sent you Mr: Wragg's Letter because the honble Kingsmill Eyres's Letter refers to it & I have reason to believe that that L^r or an Authentique Coppy thereof have been sent to Great Britain if soe I take it to be the same case of Mr: Younges and to have the good Fortune of finding Out the Authors and having them punished are the hopes of

F.. Nicholson

The Proposals of the Bricklayers & Carpenters for completing a new Story over the Watch House was layd before the house and referr'd to a Committee Viz^t: And^w Allen—Jos: Wragg Esq^r: & Coll^o: Arth^r Hall—Dan^l—Hugier Esq^r: Layd before the h^o a Bill for founding and Establishing a parrôchial Chappel of ease at the Strawberry to the Parrish Church of St. John's Parrish which being read past the first time with amendments

Mr Secretary Hart brought from his Exe^cy the Govern^r: the following Mess:

Mr: Speaker and Gentl^m:

I herewith send you Doct^r Maitland's Petition relating to his curing of two Indians his Certificate or accot^t: of the same a postscript of Coll^o: Barnwels Letter concerning One of them and referr you to Cp^t: Woodward for a further Accot^t: and recommend this affair to yo^r.. Consideratio— the said Indian's now in prison here and I propose may be Sold towards defraying the charges about him The purchaser to transport him forthwith

L^r Maxwell having desir'd his discharge preferr that Affair to you as alsoe yo^r.. recommending a proper person to Supply his place and I herewith send you his Letter to Coll^o: Barnwel and referr the Subject—matter thereof and of Coll^o: Barnwell's answer to yo^r.. Consideration——

I herewith Send Joseph Massey's Accot^t: of twelve pounds for an Iron Screw Press for the Seal the old one not being fitt for Service and recommend the Same to you for payment——

Alexander Robinson and Martha his wife sometime agoe being convicted as accessory's in Felony & afterwards received his Maty'es most Gracious Pardon on condition to Serve in One of his Maty'es Garrisons and having Several times made Application to me in Council I refferr'd Some of the Petition to the Sitting of The General Assembly One of which I now send You and Recommend to yo^r: consideration whether the said Petition's ought to be consider'd as to the long imprisonm^t: Losses and inability Of Serving at the Garrison by reason of lameness in his hand &c^a: soe to remitt that part of their Sentence of Goeing to Serve at One of the Garrison's

I alsoe send you two Letters from the Rev^d.. Mr: Morritt the one directed to my self & the hon^lble his Matyes Council and the

other to me and the hon^{ble} Comm^{rs} of the free School and recommend to yo^r consideration the Subject matter of them——

I alsoe send you a paper of M^r: William Loughton late Provost Marshall setting forth his Trouble and Charge in Entertaining the Spaniards and referr the same to yo^r: cons^e

I also send you Coll^o: Theoph^s Hasting's Petition relating to his Late Services and Rewards which I recommend to your consideration & if it be determin'd to send him up again that it be as soon as possible

I recommend to your consideration what Money have been appropriated for Christ's Church how the same hath been dispos'd of and what condition the said Church is now in

I also recommend to you That Coll^o: Parris Comm^y have Directions to dem^d: the Freight of Skins brought to this place by the Publick Pettiaugers

I'm inform'd That the Publick's house near the Old Church is become a Nuisance being only a Receptacle for Persons of bad Fame and kept Soe noisome That the verry Indians refuse to Lodge there

Therefore I recommend to you to consider what is propper to be done with it——

Council Chamber }
June . 9^o . 1724 }

Fr Nicholson

The following Message was sent to his Exe'cy by M^r.. Parker & M^r Seabrooke——

May it please yo^r.: Exe'cy

This House has appointed a Committee to Examine all Petitions and Acco^{ts}: & another Committee to View the Magazine and State the powder Receiv^rs Acco^{ts}: and We Pray yo^r: Exe'cy will be pleas'd to appoint Committees of his Matyes Council to meet the said Committees to proceed forthwith On these affaires June . 9th: 1724

Cpt Wickinson	} Committee On	Maj ^r Drake	} Committee On	
Cpt: Smith		Cpt Bellinger		powder Re-
M ^r : Parker		M ^r : Waitis		ceiv ^{rs} : Acco ^{ts} :
Cpt Woodward				
	Pet ⁿ : &			
	Acco ^t :—			

Benjamin Whittaker Esq^r: from the Committee Appointed on Indian affaires Reported that the Committee had come to a Resolution to give the following Presents to the Indians and

desir'd the Opinion of the house there upon which being read the House agreed to the same——

The Present for Tickhonobee head }
warrior of the Tallapoos for his } To Oulatcha y^e Tocobatcha
Service ag^t: the Yawmasees } Cpt..

1 Red Coat Laced	£30	a Blew broad Cloth Coat——
1 Lac'd hatt	6	a Flapp
1 fine Garlick Shirt	2	a Shirt
1 broad Cloath Flapp	2	For Ouloctoga the 2 ^d Man of the Tallassees
1 Saddle & Bridle	10	1 Blew Cloth Coat
1 Whipp	2	a Flapp
1 pair of red Stockings....	3	a Shirt
1 pair of Shoes	2	a Gunn
1 P of Buckles }		
1 Gunn — }	5	For Ofoske King——
	——	a Shirt
	£62	

Added		a flapp——
10 Lbw ^t of powder }	For their	a Lac'd Hatt——
20 Bullets	journ'y	For Ogilissa——
100 Flints		a Shirt, a Flapp a pair of Stockings

For Tickonobees Brother

4 Flapps	}	Those That came down without leave Noe notice to be taken of them——
4 pair of Stockings		
1 Shirt——		

The House adjourn'd 'till tomorrow morning 8 of y^e Clock

Wednesday the 10th day of June 1724——

The House mett according to adjournment——

The Petition of Theoph^s Hasting pray'd to be payd for his Services which was read and referrd' to the Committee on Indian affaires

The petition of John Fisher praying to be pay'd the Ball^a of The Acco^t due to him——

The Petition of Alex^d: Robinson was read Praying that the Sentence passd' ag^t: him of going to the Savanna Town might be remitted

Edm^d: Maxwells Lett^r: to his Exe^cy the Govern^r.. praying to be discharg'd was read——

Cp^t Southerland's Memorial and Petition was read and praying to Succeed Coll^o: Herbert in repairing Johnson's Fort——

Mr. William Loughtons acco^t: concerning the Spaniards was read

The Petition of the Inhabitants of the Southside of the North-ern=Branch of Wando River praying an Alteracon of their Road Doctr^r.. Maitlands petition praying to be payd for the care of an Indian was read

All which foregoing Petition's Memorials and acco^{ts}: were referd to the Committee appointed to examine Petit^{ns} and Acco^{ts}:

Resolved That the Sume of fifty pounds payd to the Rever^d: Mr Morritt by order of the General Assembly of the 26th: of April 1723 be deem'd as an extraordinary bounty for his Expense in Lodgings before he had a House provided for him and that it be not reckon'd as part of his Sallary & that this Resoluc'on be sent to his Exe^cy the Govern^r and his Maty^es honble Council for their Concurrence and That Mr: Speak^r Doe Signe the same——

Resolved That Richard Allen Esq^r: Cp^t: Henry Nichols Mr: Joseph Wragg & Cp^t Peter Simmonds be a Committee to Report their Opinion on his Exe^cy the Govern^rs Several Messages Lying before the House

Mr Secretary Hart brought from the Council David Spotwood's journal and a L^r: directed to Jn^o: Bee sealed and Read a Lett^r: to his Exe^cy from David Cooper——

Mr.. Secretary Hart Acquainted the h^o That his Exe^cy required their Attendance in the Council Chamber immediately

The Speaker and the whole House waited on the Govern^r.. The Speaker with the h^o.. return'd from his Exe^cy the Govern^r: and the Speak^r: acquainted the h^o: That his Exe^cy had been pleas'd to make a Speech to them of which he had obtain'd a Copy and Layd the same before the h^o: and is as follows——

Mr Speak^r and Gentl^m.

I Proroug'd the Assembly from time to time in hopes That We might have had a full acc^t.. from our Agent of all our affaires committed to his charge particularly concerning the taking off the Enumeration of Rice and prolonging the bounty of Tarr and Pitch the latter of which I am afraid is not Obtain'd and

then can't be 'till the next Sessions Sessions of Parliament those verry few affaires which have been done in this Assembly and some others to be done togeather with Several other reasons obliges me most cordially Earnestly and Sincerely Recommend that an Act may be past continuing this Assembly 'till the first of October next come Twelve Months by which time I hope in God all affaires may be settled to yo^r. Satisfaction and Credit

If I did not make this Proposal I think I Should very much fail in my Duty to his most Sacred Majesty and the verry great desire I have for the Welfare and happyness of this his Maty'es Province You have a Precedent of yo^r Own and a verry good one lately in Great Britain for you to follow if You don't think to comply with this proposal (as God forbid) I am of Opinion That those two inseperables his Maty'es Interest and Service & that of this his Maty'es province will Oblige me not to call another Assembly 'till please God I have Com'ands from Great Britain to doe soe or that there be an absolute necessity for it here which I hope will not happen——

Honble Gentl^m:

This affair I think being of the Last Consequence for the keeping the peace & quiet of this his Maty'es province and the prosperity of the same I most heartily recommend to you That a Committee of both houses may be appointed as soon as Possible to take this affair into the most Serious consideration. I put it now in y^r: power (I think) of continuing to Act as most Loyal & Dutyful Subjects to his most Sacred Majesty & so consequently of doing yo^r: Country good Service if any ill Accident (w^{ch} God forbid) should happen for yo^r: not complying herewth: I cannot justly be accus'd thereof But You will in a great measure hinder one from doing you all y^e.. good that lyes in my power. That God Almighty will be pleased to direct You in all yo^r.. affaires in General but more particularly in this are the most hearty Sincere Prayers & wishes & hopes of

Council Chamber

Fr Nicholson

June 10th: 1724

The House Reading and taking under consideration the fore-going Speech from his Exe'cy the Govern^r., the Question was putt whether there is any reason for this house to continue is any reason for this house to continue them-Selves for any longer time than the time limitted by Law——

Carried in the Negative Nemine Contradicente
On Motion the following Members were appointed a Committee
to draw an Address to his Exe'cy the Govern^r in Answer to his
Speech to this house of this morning—Charles Hill Benj^m:
Whittaker—Jos: Wragg—& Jn^o: Lloyd Esq^r:

The House adjourned 'till 2 of the clock in the afternoon

The House met according to Adjournment——

The following Address in answe^r to his Exe'cys Speech made
this Morning to the House read & after some amendments was
agreed to and ordered to be Engrossed

To his Exe'cy Francis Nicholson Esq^r his Matyes Cpt^t
General & Govern^r: in & Over his Maty'es Province of S^o
Carolina & Vice Admir^l of the Same——

The Humble Address of the Commons H^o.. of Assembly in
So: Carolina—

May it Please Yo^r.. Exe'cy

By your Execys Speech which you was pleas'd to make to us
this morning We have further Assurances of yo^r: good Intentions
to this his Maty'es province and firmly believe That yo^r proposals
of Continuing of this Assembly is Grounded On yo^r: Exe'cys
Opinion of it being for the Gener^l Good but as we are Satisfyed
That there are many Gentl^m in this province who are as capable
to Serve this Country in our Capacitys as we are and to whome we
think such part of the business as we cannot finish may be left.
it is the Unanimous opinion of this house that there are not any
reason to induce us to continue our selves any longer than the time
Limited by Law——

We are not apprehensive That the peace of this Province will
be endanger'd by our Dissolution at the Stated time Especially
when we are perswaded That yo^r Exe'cy by the advice of his
Maty'es Council will call an Assembly when the Interest of his
Ma'tye & the province Shall make it necessary & in our humble
Opinion the Sooner that is done the better

We have alwayes endeavour'd to Demonstrate our firm Loyalty
to his Most Sacred Majesty King George in all our actions since
our being first conven'd & it is a verry great comfort to us to
think that we cannot .. - .. - fail of an Assembly in this
Province whose Loyalty to his Majesty and Attachment to the
Protest^t.. Succession will be as Conspicuous as ours, for we

conclude we shall not be instrumental in preventing yo^r Exe^cy doing That good to this Province which we verry well know You have soe much at heart

We are highly Obliged to yo^r.. Exe^cy for yo^r many ffav^rs to this House during this Assembly & for yo^r Sincere wishes and pray^rs ffor Our direction in all Affaires yo^r: Exe^cy has thought of Moment & therefore in Gratitude begg you'l believe Us

May it please yo^r Exe^cy

Yo^r Exe^cys

Most Obed^t: & most h^ble Serv^{ts}..

Tho^s: Hepworth the Speak^r

George Smith Esq^r: Layd before the House following Address to his Exe^cy the Governour in behalf of the protestant Dissenters which being read was agreed to & order'd to be Engross'd & is as followes

To His Exe^cy Francis Nicholson Esq^r:

Govern^r: Cpt Gener^ll Vice Admir^l: & Command^r: in Chief in & over his Maty^es Province of S^o: Carolina

The Humble Address of the Commons H^o. of Assembly in behalf of the Protest^t: Dissenters——

May it Please yo^r.. Exe^cy

The House take leave to enform Your Exe^cy that the protestant Dissenters who make up great part of y^e Body of this Province have ever since the Settling the same enjoy'd the priviledge of Quallifying themselves for Members of the Commons h^o. and other Public Offices without Swearing on the holy Evangelist

That the said protest^t: Dissenters are of Great Service to this Province have alwayes chearfully contributed to the Support of the Governm^t: and defended the same in their persons and with their Interest to the best of their power in conjunction with y^e rest of his Maty^es Protestant Subjects & have alwayes shewn themselves Zealously Attached to his Ma^tye King George and the Protesant Succession——

And as they have alwayes under yo^r.. Exe^cy's Administrac^on as well as at all times before done every thing that they thought tended to the Interest and Service of his Maty^e soe they cannot doubt but your Exe^cy who hath also yo^r: Princes Honour soe much at Heart will grant that necessary indulgence to such of his Maty^es Faithfull and Loyal Subjects, whose truly Scrupulous

Consciences will not Suffer them to take an Oath but according to the fform of their profession——

The Commons founding, this Address on your Exe'cy's good Will to all his Maty'es Subjects & your constant readiness to Serve this his Maty'es Province humbly pray you will be pleased to consent to a Bill for continuing and confirming to the said Dissenters the Priviledges aforesaid

Tho^s: Hepworth Speak^r..

The Bill for Settling a Chappel of ease at Chilsberry was read a Second time & past with Amendments and——Sent up by

Geo: Smith Esq^r: & Cpt: John Raven

Joseph Wragg Esq^r: Layd before the House the following Report of the Committee appointed to Treat with Workmen concerning the building of a Story over the Watch House——
The Committee appointed to consider of the proposals of John Lea & Rich^d Card for raising a Story on the Watch House for an Armoury according to a Plan layd before this House
Doe Report

It is their Opinion that the two Fronts be finished as projected
A Chimney at the South end as projected, the Stairs at the South East and to goe up to the Armoury, Three Windows with Iron barrs to each Front & two at at each end of the Armoury Room——

Sheads on handsom Columnes to each Front

The upper Loft to be flored and a Lader to goe upp

A Cupola on the Top for a Bell to Alarm the Town in case of Fire the Rope to come into the Guard Room——

To finish the above work to find all Materials (barr-Iron and the Bell Excepted) the Workemen expects Seven hundred and fifty pounds

The Undertakers to enter into Articles to perform the worck—
The . 2 . following Messages was sent to his Exe'cy the Governour

May it please Yo^r-Exec'y.

This House has appointed a Committee to joyn a Committee of his Maty'es Council to view Johnson's Fort and observe what is necessary to be done to the worck of the said Fort and desire yo^r Exe'cy will be pleas'd to appoint a Committee of his Maty'es Council to joyn the said Committee to goe thither tomorrow morning

Coll ^o : Hall——	}	Thos. Hepworth——
Maj ^r Drake——		
Cp ^t Bellinger		
		Committee——

May it please yo^r: Exe'cy

A Committee of our House having treated with some Workmen who layd before this House proposalls for building a Story over the Watch house in Charles Town We send your Ex'cy herewith the said Report and desire it may meet with the Concurrence Of yo^r: Exe'cy and his Matye's Council We send also to yo^r.. Exe'cy the Workemen's proposals and their projection
The House adjourn'd 'till tomorrow morning . 9 . of the clock

Thursday the 11th: day of June 1724.

The House mett according to adjournment.

The Committee appointed to state the powder Receiv^rs Acco^t: Report as followes

A Committee of both Houses to examine the Acco^{ts}: of Coll^o: Miles Brewton powder Receiver doe report that they find his Acco^{ts}: are justly stated and that there is due from him to the Publick of this his Maty's province Three Thousand Three hundred Eighty and Six and a half pound of powder and the said powder is damaged & unfitt for use further than Salutes

Benj^m. Whittaker Esq^r: from the Committee on Indian Affaires & the affaires of the Garrison layd before the House the Talk w^{ch}: was propos'd in the sd Committee to be delivered to Tickonoby a head Warrior of the Tallapousee Nation now in Town he alsoe Layd before the House the following Report of the said Committee on the affaires of the Garrison

The Committee are of the Opinion That at Fort Moore there ought to be on the Establishment a Cp^t Lieut^t: and twenty five Men the Committee were induc'd to be of this opinion for that We are under great Apprehensions That the Lower Creeks are entirely in y^e interest of the French & Spaniards and That We may soon expect a Rupture with them and therefore That Garrison ought at all times to be provided with Corn not only for their own Subsistances but also to Subsist a Number of Men that may be commanded that way On any accident

That We for the same reasons think it necessary That Fort Prince George Consist of a Cp^t: Lieut^t: and fifteen Men and that the said Garrisons be provided with at least four Months

Provisions and all other necessary's agreeable to their Establishment and they never be without that Quantity

That instructions be forthwith given to the Commissry and y^e Respective Command^{rs} to raise Men for the Purposes afores'd

That the Commissry have directions to Contract with some P^{erson} at Port Royal for provisions which we conceive will Cause a Considerable charge in maintaining Men in Town & other incidents w^{ch} accrue on necessary delays——

That as it has been experienced That buying Serv^{ts}: to Supply the Garrisons has been of Advantage with the publick we think the Same measures ought to be pursu'd & that the Commisry have instructions for that Purpose That the Number of Servants never exceeded a third part of the Men in the Garrison——

The House Reading and considering the above Report & the Talk agreed to be given to the Indians agreed to the same

Charles Hill Joseph Wragg^r Esq^{rs}: & Coll^o: Arth^r Hall were appointed a Committee for Settling the Sume to be given to his Exe^cy the Govern^r: this Sessions

The Secretary brought from his Exe^cy the Govern^r.. the following Mess:

Mr.. Speak^r.. and Gentl^m:

In answer to your Message of Yesterday relating to the Additions to be made to the Watch house I propose That a prison be made underneath because the prisoners will be under the care of the Watch by Night the only time for an Attempt to break out and alsoe That the Room designed for an Armoury be soe Contrived as to hold Courts in & the armes to be plac'd around it was to be secure

And in answer to yo^r Message concerning Johnson's Fort We have appointed the Hon^{ble} Alex^r: Skene Esq^r: to joyn yo^r. Committee and propose That they proceed thereon the next Ebb & propose That the Committee have noe more Gunns fired than Six at the most Viz^t: Three on their goeing and three on their Return Council Chamber

Fr Nicholson

June . 11th. 1724

Ordered That Alex^r Parris Esq^r Treasur^r Doe pay out of the Publick Treasury of this Province unto the Vestry & Church-Warders of Christ Church Parrish towards repairing & Building the P^{arish} Church the Sume of Six hundred Pounds it being agreed to Some time Since but Omitted to be pro-

vided ffor by the Magistrates of the Curr^t: Year and That this Order be Sent to his Exe^cy the Govern^r & his Majestyes Council & That M^r: Speak^r Doe Sign the Same

The Following Message was sent to his Exe^cy the Govern^r—
May it Please yo^r.. Excellency

This House having read the Talk to be given to Tickonobees and the Report of the Committee appointed to consider of the State of Our Garrisons have agreed to the same

A Bill for Cutting and clearing y^e Creek from Wadboo Landing to the bridge at William Newman's Path—was read a first time & past with Amendments

A Bill for enabling the Protest^t: Dissenters to Quallify themselves according to the form of their Profession read the . 1st. time——

The two foregoing Bills & Message togeather with the order for the Rever^d. M^r Morritt were sent up by Benj^m.. Whittaker Esq^r: M^r President

This H^o: having read the Bill for establishing a Chappel of Ease have found some material alterations in the same
We therefore desire That a Conference may be held in a Committee of both houses to consider of those alterations

Maj^r: Drake—Cp^t Smith—M^r Hugier—Committee
The Question was putt whether the Publick Should purchase two Cherokee Indians, Viz^t, a Woman and a Child now in Possession of Monjoy an Indian Trader and taken by the Creek Indians the Cherokees repaying the public the full Sume payd for the said Captives
Carried in the Affirmative
May it Please yo^r Exe^cy

This House having consider'd yo^r Exe^cy's Message of this morning wherein yo^r Exe^cy proposes That a Court h^o: should be made in the new addition to the Watch House in Charles Town and a prison below We take Leave to acquaint You That it is our opinion That when all the Armes in this province are therein plac'd there will not be room for a Ct^t: h^o: nor will there be room for a prison below therefore beg yo^r: Exe^cy will be pleased to consent to the Report of our Committee——Yesterday sent to yo^r Exe^cy on that matter——

A Bill for the better Regulating the Practice of the Law was Layd before the House and read the first time and past with Amendments and sent up with the foregoing Message to his

Exe'cy the Govern'r.. by Cpt John Woodward & Cpt: N'pher Wickinson

The House adjourn'd 'till tomorrow morning . 8 . of the clock

Friday Morning the 12th day of June 1724.

The House mett according to Adjournment——

Coll^o: Arth^r: Hall from the Committee appointed to view the Fortification of Johnson's Fort made the following Report

Committee of both houses appointed to view the Fortifications of Johnson's Fort and the Armes and Ammunition therein doe find That the Great-Gun-Carriages & Small Armes are all in very good Order, and the Cartouch Boxes well filled

The Committee Doe further Report That upon Reveiwing the out-workes and Battery that it is absolutely necessary That large Quantity's of Ballast Stones Should be thrown at the foot of the Piles of the Battery which the Committee are of Opinion is the only way for effectually preserving the same ag^t: all Hurricanes and Incroachments of the Sea

The Committee Doe further Report That the North East Point Ought to be Secur'd with Pine Saplings, Mash mudd & Oyster Shell a Lare of each in the same manner is already done which they find to stand firm and good, and that the same be forthwith done before the hurricane time approaches

The Committee Doe further Report That the several Bastions ought to be floar'd with Cypress plank & Ship Carriages made for the Guns therein

The Committee are further of Opinion That the Parts in the Battery ought forthwith to be fac'd with Bricks and Cypress plank

The Committee Doe Report That two wells ought to be Sunk in the Battery for the use of the Great Guns in case of an Engagement

The Committee upon reveiwing the Magazine find it unfitt to preserve powder without some more effectual method be taken by making Draught for Air as shall be thought proper by making Funnels for an Inlett to the same.

The Committee upon reveiwing the Cpt House Armoury and Store Room Doe further Report That the same ought to be Rais'd Eight foot higher, Convenient Windows putt in to give Air to the Armes

The Committee Doe further Report That it is their Unanimous Opinion all the afores'd things ought to be forthwth done and the Person who undertakes the same shall proceed upon it without Loss of time But more particularly securing the North East Bastion——

The Committee are further unanimously of Opinion That a Canoe might be allow'd the Cp^t: of the Fort for the Service thereof in Taking Boates or Pettiaugers when they Have the misfortune to goe a Drift or bringing Such too when they are Endeavouring to Run away

Mr Secret^y Hart brought y^e following Mess: from his Exe^cy the Govern^r together with the Bill for cutting the Creek from Wadboo Landing to y^e Bridge built at Mr Newman's path & also y^e: petitⁿ: of Jos: Caballa & his Own Acco^{ts}: with the Publick.

Daniel Hugier Esq^r, and Cp^t Raven carryed to the Council the Message concerning the Conference

Mr.. Speaker and Gentl^m..

Several Complaints have been made to me formerly and more especialy of late by Captaines and Command^{rs}: of Ships and Vessels That their Men run away from them & are harbour'd & entertain'd in this place & parts adjacent—which must be a great discouragem^t: for Ships and Vessels coming—hither to look for Ffreight & consequently of great prejudice to the Inhabitants of this his Maty^es province and I think all encouragem^t: ought to be given for Ships & Vessels to come hither I take it that those Seamen who runs away from their Ships to be Rogues That upon any oppertunity would turn Pirates which they may verry easily doe with pettiaugers or other Boates by lying at the Barr and Seize any Ship or Vessel going out or coming in I take it y^t: the Pirates lately infesting our Coast was first begun by Such sort of Fellowes, Therefore I propose to you That a Law be made for Severely punishing such runn awayes and any P^{erson} & P^{ersons} who shall harbour or Entertain any of them except they have a Tickett Signed by their Master and countersign'd by one of his Maty^es Justices of the Peace for without that they may Counterfitt their Master's hands

I thought a Duty incumb^t: on me to propose this to you That if any accident Shall happen on this Acco^t: (which God forbid) It Cannot justly be „ „ Lay'd to the charge of

Council Chamber June . 12th, 1724

Fr Nicholson

Ar Middleton P

Mr Secretary Hart from his Exe'cy the Govern^r acquainted the h^o: that the Indians were in the Council Chamber & that the Govern^r was ready to give them the Talk

Mr: Speaker & the whole House went to the Council Chamb^r:

The Speaker & the house returning from the Council the House Adjourned until . 2 . of the clock in the afternoon

H^o: Mett according to adjournment——

The House Taking under Consideration the affair of the Agency motion was made that the Question should be putt— Whether an Agent shall be sent from hence to Great Britain in the Room of Coll^o: John Barnwel deceas'd formerly Appointed to that Employment.

And some Debates arising upon the s^d questⁿ: The Previous Questⁿ was putt whether the s^d Question Should be putt——

Carried in the Negative

Then the Question was putt whether there Should be an Agent to transact the affaires of this Province in Great Britain

Carried in the Negative

The Question was then putt whether Francis Young Esq^r: shall be payd £100: 0 : 0 Sterling for his Service since the time his——Agency expired to the time of his receiving Notice of his x x x x Discontinuance

Carried in the Affirmative

The following Message was sent to his Exe'cy the Govern^r May it please yo^r: Exe'cy..

This house has come to a Resolution to give Francis Younge Esq^r.. the Sume of One hund^d.. Pounds Sterl: for his Service Since y^e time his Agency expired to the time of his receiving notice of his discontinuance and we are of Opinion That the Committee of Correspondence who were desired last Sessions to continue to write to him after the Act w^{ch} appointed them was expired may be desired to acquaint him therewith by the first Oppertunity Because we apprehend the Committee of Correspondence ceases

The foregoing Message was sent up by Benjmⁿ.. Whittaker Esq^r: & Daniel Hugier Esq^r..

The Petition of Gerard Monger Praying to be payd for a Negro kill'd which being read was referr'd to the Committee of Acco^{ts}:

The Petition of Joseph Caballa praying to be payd for some Publick Service under Coll^o: Hasting was read & referr'd to the said Committee

May it Please yo^r.. Exe^cy

The affaires of the Indians having taken up great part of our time since our present Writing has prevented our answering yo^r Exe^cys Several Messages which you have been pleas'd to lay before us but having the s'd message now under consideration We take Leave to answer them as—follows

We are of Opinion That Coll^o.. Parris be order'd to Supply Mr Lloyd with such Ordnance Stores as are said to be wanting & that the Powder Room in Grandvills Bastion be forthwith repair'd as also the Carriages for the Gunns, there being £300. Appropriated for the Carriages by the Assembly along time Since——

We are of Opinion That the Committee appointed to view Johnsons Fort doe procure an Estimate to be made of what the repaires of the platt fforme will amount to that the House may consider whether they will proceed thereon but We are apprehensive it cannot well be done 'till the ffall there being noe money apply'd to that use as we remember in the last Years Estimate

As to the Fortifications of Charles Town soe far as relates to Private Persons We are of Opinion That a Law be pass'd to Oblige y^e proprietors of the Lotts and Flatts proportionably to build up the level That a reasonable time be prefix'd & in case of neglect the publick to build them up and levy & charge on the Proprietrs of such Lotts & Flatts in such proportions as the Law shall provide

That a Commodious Flatt be built at the charge of the Publick to receive all the Ballast that the Command^r of the Fortification have an additional allowance for the care of the said Flatt and keeping it in repair & to see the ballast thrown out at high Water Mark and that the Ballast be thrown out by the Sailors of y^e respective Vessels That a Law be pass'd affixing such penaltyes and with curch proper Additions as may be thought reasonable

As to that part of yo^r: Exe^cy's Messages which relates to y^e Changing the New Bills for the old We apprehend That the Comm^rs when they have finished the new Bills will give timely Notice to the Proprietors of the Old Bills to bring them in according to y^e: Directions of the Law and we are not apprehensive that there's a Necessity for rechanging the Three Thousand Five hund^d: £ at present

As to the French Disserters coming hither by Land We are satisfy'd this Government never us'd any Arts to entice those Desserters But if they shall come here voluntarily of themselves, We are entirely of Opinion That it will weaken the French Settlements and Strengthen this Colony and that it is against the Law of Nations to send back such who come to take Sanctuary in another Country

We desire your Exe^cy would be pleased to write again to the Government of S^t Augustine that he suffer none of the Spaniards to come to this Settlement by Land on Publick Ambassy's or other Occasions & that in case they doe they will be restrained of their Liberty

The Case of Johnson's Fort is referr'd to a Committee & We are not apprehensive of any additional Instructions to be given to the Command^r: of Johnson's Fort but what were agreed Upon the Last Assembly & We desire you will be pleas'd to Sign them they being herewth: return'd to you——

As to my Instructions which relate to Fort King George We think that matter does not lye before the Assembly because the s'd Fort is at his Maty^es Charge & immediately under the Care of yo^r.. Exe^cy

The affair of Marr is already referr'd to a Committee of Indian Affaires & Bee and Spotswood going up the Fork is referr'd to y^m: likewise

We are of Opinion That all such Great Gunns belonging to the Publick as are at the White point be remov'd to Govern^rs Bluff & those at the Cutt below Coll^o: Palmers to Port Royal——

We think that Publick Notice be given at the head of the Company's for all persons who have any publick armes in their Custody to bring in the same to the Captaines of the respective Company's forthwith on pain of being prosecuted with the Severity of the Law for their Neglect that the Cp^{ts}: of each Company doe return such as are out of Repair & unfit for Service to the

Armoury in Charles Town & That they Report to the General Assembly what number of Armes remain in their hand fitt for Use and what Ammunition they have in their keeping——

That the Lookout (Viz^t) Two Whitemen & two Indians at the Mouth of Port Royal & four Whitemen at Cockran's point be continu'd for Six Months that the Chief of the four White Men be allow'd £8..0.. 7^d Month the rest of the White Men £6 7^d Month and the Indians £3 .. ——

We are of Opinion That instead of an Allarm to be made there be an additional Clause to the Militia Law that Once in the year if required all persons whatsoever Shall Appear accout'e'd as the Law directs at the General Muster for that making of Allarmes unless there be an apparent & imminent danger may be attended with ill Consequences

As to that part of yo^r Exe^cy's Message which desires an Order of both houses to be made for the Committee of Correspondence to write to M^r: Younge ab^t: the Plantation—— Bounds——

We apprehend it to be an affair which falls under the immediate province of yo^r: Exe^cy & the Officers of the Customes & does not Lye before this House——

As to the affair of the Pews recommended in yo^r Exe^cy's Message of the . 6th. inst^t: to be referred to a Committee of both houses We take leave to Acquaint yo^r Exe^cy That there is a Law w^{ch}, leaves those Matters to the Church Commiss^s & the Vestry, That there is already a Pew for yo^r Exe^cy & his Maty^es hon^{ble} Council and a Committee Committee of the Lower house have pitch'd on a Pew for the Assembly and the House have concurred thereto and therefore conceive it improper for a Committee of this House of Assembly to intermeddle any further therein

We conceive of the old Church to be in soe Ruinous a Condition That the expence will be too great to undertake the repair thereof——

That the Church Warders of St Phillip's be acquainted that they Shall have the assistance of the General Assembly in Levy-ing the Charge upon the Inhabitants of the Town of Fencing the old Church—y^d

That a new—Church—Yard be layd out but are of Opinion That y^e parsonage-house & Glebe be still kept for the use it was first—Appropriated by the Donors

We apprehend that the Country is not in a condition to make any publick Buildings or improvements on the three publick Lotts & that they remain as they are at present

As to ascertaining the affair of the Streets We are of Opinion that the new Survey made of the Town will be of much worse consequence than if it had never been attempted it making a great alteration in private persons titles who have quietly held their respective Interests most of them twenty Yeares and upwards and under the Sanction of the Law of this Province called the Statute of Limitation & therefore That the new Survey be Postpon'd but y^t: the House which stands in the middle of the Bay at the Northend of the Town may be Remov'd

We conceive That the Church—Warders ought to take care Of a convenient place for the burial of Negroes

That the Gallowes and Gibbett be remov'd up further in y^e Road but not soe near to any House as to give any Offence

The Supplying the Garrisons with provisions & the method of getting Men for them is propos'd by the Committee of Indian==affaires to which the House agreed

We agree with yo^r.. Exe'cy that the money appropriated for a Printer be apply'd to other uses since the charge is soe great to procure one and that it be apply'd to the repaire of the Platt==fformes (if there be not a more urgent Occasion for it)

As to the affair of an Agent We are of opinion an Agent is noe way needfull at this juncture.

We are of Opinion That Doct^r Maitland be payd by the Publick for the cure of the two Indians the Person who did the injury being incapable to make Satisfaction——

We have come to a Resolution That the Indian now in Prison be sent to his own Nation & That he be inform'd That if he be found in the Settlements again He will be dealt with as an Enemy & That he be deliver'd to the Creeks now in Town

We humbly Submitt the affair of Alexand^r: Robertson & his wife to yo^r: Exe'cy's clemency to doe therein as yo^r.. Exe'cy thinks fitt——

An order has been already sent to yo^r: Exe'cy for £50.0.0 for the Rever'd: M^r: Morritt

& the affair of the School is entirely under the Direction of the Commiss^{rs} who have full power to proceed therein according to the directions of the Law——

The affair of Mr. Loughton's entertaining the Spaniards as also that of Coll^o: Theophil's Hasting lyes before the Com^{it}-tee of petitions & Accounts

An order is sent up to yo^r Exe^cy ffor the Six hund'd pounds formerly Voted for the repaires of Christs Church for by a mistake it was Left out of the last Yeares Estimate & may now be payd out of the moneys unappropriated in the Treasur^s: hands

We cannot be of Opinion that Coll^o. Parris be directed to demand the Freight of Skins brought down in the Publick Pettiauger by Glover because the Pettiauger was sent down by Leave & order of the hon^{ble} Coll^o: Chicken on the following conditions That they should bring up provisions for both Garrisons and That He should provide four hands & bear their Expences in Town & see them Safe up again And We think it was of Service to the Garrison & noe detriment to the Public for y^t: the Garrison had not propper Men to send nor could they be Spared They are soe weekly mann'd

The Church Warders ought to take care to regulate and Rectify the abuses mentioned in yo^r: Exe^cys Message which relate to the Old house in the broad Street——

George Smith Esq^r.. From the Committee of Indian affaires made the following Report——

The Committee of both houses appointed to conferr on Indian affaires Does Report as followes

We are of Opinion That the Cherokees ought to have Lbwt. 350. of powdr^r. & .700. Lbwt of Bulletts with a Drum & Colour's To be for the use of the upper and the Remaind^r to be divided equally between the middle and lower Cherokees & the £wt. 3. of paint be given amongst them——

We are also of Opinion that the Governour be desir'd to send a talk to the upper Cherokees who have deserted & fled to the middle Settlement to induce them to return to their former Settlements

We alsoe think it necessary to purchase an Indian Woman & Child & therefore are of Opinion That Coll^o. Parris be order'd to buy the sd Slaves and the same to lett the Cherokee: Indians have upon paying the purchase be payd for them——

We are of Opinion that Sawney Long be sent to come down to this Government where he may depend on being received and all former offences forgiven an Account of which may be sent

for under the Governour's hand by the first Trader that goes That way.

We are alsoe of Opinion That a Gun be given to each of the four Cherokees that are come down, more than the afore mention'd particulars

The Bill for Establishing a Chappel of Ease at Chilberry was read a third time & past with amendments——

The Bill for cutting & clearing a Creek from Wadboo Land-ing to the Bridge built at Mr: Newmans path was read a third time & past with Amendments.——

The two foregoing Bills were sent up by Maj^r: Jn^o: Drake——

The House adjourn'd 'till to morrow morning . 8 . of the Clock.

Saturday the 13th day of June 1724.

The House mett according to Adjournment——

Mr.. Secretary Hart acquainted the House that the Indians were in the Council Chamber

The Speaker with the whole House waited on his Exe^cy the Governour in the Council Chamber in order to hear what was deliver'd to y^e Indians

The Speaker with the House return'd from the Council Chamber.

The House taking under Consideration the State of the Fort at Beaufort——

Resolved That Coll^o.. John Woodward be empower'd & desired to finish the said Fort at Beaufort as conveniently and with as little expence to the Publick as possible and That he lay his Accounts concerning that affair before the General Assembly at their next meeting

Proposals made by Arth^r Hall of securing the North East Bastion of Johnson's Fort

I Propose to make a Mudd Wall Eighty feet Long Twenty feet wide Six foot of which to be solid Mudd & the Rem^r. of Timber & Oyster Shells the said Wall to be Six foot high the Front whereof to be secured by piles drove in the Ground for which Consideration doe expect the Sum^e of Two hund^d & fifty pounds & the privilege of getting the Timber that's wanting for the s^d Worck off the Publick's Land.

Arth^r Hall

Uppon which the following Message was sent to His Exe'cy the Governour——

May it Please you^r: Exe'cy

We Herewith send to you the Resolution of this h^o.. Concerning the Fort at Beaufort & Coll^o: Hall's proposals for Securing the North East Bastion of Johnson's Fort and as We have agreed to both We desire the Concurrence of you^r.. Excellency and his Maty'es hon'ble Council to the same

Resolved That his Exe'cy the Govern^r.. shall receive out of the Publick Treasury of this province the sume of One Thousand pounds & that an order be drawn on the Treasur for the Same——

On Motion of John Lloyd Esq^r.. That Mess^r pickring Yeomans and Ellis who have examin'd & Stated the Accot^{ts}: of the late Tax Commiss^{rs}.. Should be consider'd for their trouble

Resolved That the sum'e of fifty pounds each be given Mess^r: Sam^l pickring Will^m Yeomans & Jn^o: Ellis for their trouble in examining & stating the accot^{ts}: of the Comm^{rs}: of the late Taxes.——

Mr Secretary Hart brought from his Exe'cy the Governour the following Message & the orders for Christ's Church Parish Concurr'd to——

Mr. Speaker And Gentl^m.,

The Free School Comm^r: having purchased tenn acres of Land for that use if you think proper to appoint a Committee of you^r house to joyn one of ours They will Acquaint You what Steps they have & doe design to take in carrying on the same towards which his Exe'cy is Pleas'd to give a Bill of Exchange for Twenty five Pounds Ster^l:

Council Chamber——

Fr Nicholson

June 13th. 1724

Ar' Middleton P

Mr. Secretary Hart brought from the Council the following Message togeather with the proposals of Coll^o. Arth^r Hall and the Resolutions of this house about the Fort at Beaufort concurr'd to in Council

Mr.. Speaker & Gentl^m.

We Have consider'd Your Message brought in by m^r. Attorney General & Mr Hugier whereby We perceive That you intend Mr Younge noe longer to be our Agent in Great Britain &

by what you intimate concerning the Committee of Correspondence it seems that you have noe intentions to appoint any other person in his place——

Gentlemen

When We Consider that the affaires of the Agency was the Last Session referred to a Committée of both houses who made their Report that it was absolutely necessary That an Agent should be appointed to Sollicit the Establishing Of a Bank & other the Weighty affaires of this Province & This Report concurr'd to by both houses We are greatly Surpriz'd That soe just a Resolution should be attempted to be Overthrown without our being Consulted therein——

Gentlemen

As We have the same Share in the Legislative Power soe our interest are equally at Stake with yo^{rs}.. We have therefore endeavour'd to preserve a good Harmony between both Houses & treated the House of Commons with all y^e regard due to persons with whom We have cultivated soe good a correspondence, and have hitherto concerted measures for the common good & We still hope that in consulting on an affair which We esteem of the utmost Consequence in preserving his Maty'es Government, Our form^r: good Understanding will not be interrupted

The Duty that We owe to his Most Sacred Majesty the Interest and preservation of his ha'py Government: in this Province & the Common Security makes us desire and we cannot but expect You will appoint a Committee of yo^r house to joyn one of ours to conferr on this Weighty and important affair more especially when you consider that the Executive part of the Governm^t: is entirely Vested in his Exe'cy & this board by his most Sacred Maty'es Comissⁿ: & Instructions

Council Chamber

June 13^o: 1724

Ar' Middleton P

Mr.. Presid^t..

This house having appointed a Committee to meet a Committee of his Maty'es honble Council this afternoon to conferr on the affair of the Agency

The House adjourn'd 'till . 2 . of the Clock in the afternoon

The House mett according to Adjournment——

Resolved That Alexand^r.. Parris Esq^r.. Doe not take any Dutyes from Peter Manigault Att^rney to Isaac Cordes Of Barbadoes for Six Negroes lately sent into this Province by the said Cordes the said Peter Manigault Giving Security usual to the Publick Receiv^r.. that the said Negroes Shall not be Sold in Twelve Months ffrom the time of the Importation of the said Negroes & That this Resolution be Sent to his Exe^cy the Govern^r: & his Maty^es hon^{ble} Council^r for their Concurrence & That M^r Speaker doe Sign the Same——

The Committee of Conference went Out to Meet the Committee of his Maty^es Council——

The petition of John Dickson praying that some Wallnuts Seiz'd by Alex^r Clench be delivered to him Setting forth He was Ignorant that any Duty was to be payd for the said Wallnuts and the House considering That the Duty was but a Trifle Order'd That Alex^r.. Clench Waiter Doe forthwth deliver to the s'd John Dickson the said Wallnuts——

The Committee appointed to conferr with the Committee of his Majestyes Council concerning the Agency, Doe Report That having conferr'd about that affair the Committee of this House were of opinion That there is noe absolute necessity at present for an Agent and y^t: the Committee of the Council were of a different Opinion & thought That an Agent was absolutely necessary & the said Report being— taken under Consideration & debated The Question was putt—

Whether there should be an Agent to transact the affaires of this province in Great Britain—

Carryed in the Negative——

The House adjourn'd 'till tomorrow morning . 9 . of y^e. -clock

Munday the: 15th: Day of June. 1724.

The House mett according to adjournment——

A Bill for cutting and clearing the Creek from Wadboo Landing to the bridge built at William Newmans Path was read a third time & past with amendments

Ordered That Alex^r Parris Esq Treasur^r Doe pay out of the Publick Treasury of this Province unto Thomas Montjoy for a Cherokee Wench & Child taken by the Creek Indians & bought of the Creeks by the s'd Montjoy the Sum^e of

One hundred and Twenty pounds and that this order be sent to his Exe'cy the Govern'r & his Maty'es hon'ble Council for their Concurrence and that Mr. Speak'r. doe sign the same.

The above Order & Bill sent to his Exe'cy by Cpt. Simmonds.
The House adjourn'd 'till . 2 . of the Clock in the afternoon—

The H^o: Mett according to adjournm^t:

Mr: Secretary Hart brought from his Exe'cy the Governour the following Message——

Mr.. Speak'r: & Gentl^m..——

I Herewith send You yo^r Agents (The hon'ble Francis Young Esq^r..) Letter to me which I received last night but I expect You will read it over two or three times & then return it to me and that Care be taken that noe Coppy of it or of any clause thereof be taken by any

Likewise send you the Gazett of the . 4th. of Aprill which I had from Hargrave by which You will see the alteration at Court it being yet in my power for passing a Law for continuance of this Assembly and for the Agency——

I Doe with all Sincerity cordially recommend to you those two affaires & if You have any Scruple concerning any Votes you pass about them I can prorogue the Assembly 'till to Morrow and uppon this verry extraordinary occasion a Law may pass in one day and then you may by Divine assistance doe this week all that is necessary at this Juncture and then I hope there will be noe occasion to meet again till the Fall Or Spring, if You don't think propper to comply with these my proposals (which God forbid) I shall not call a New Assembly 'till towards the Spring if they Expect there Should be a Rebellion or any Invasions by French or Spaniards neither of w^{ch} I hope in God will ever happen

To Send You this Message (w^{ch}: Soe much concerns his Maty'es Interest & Service & that of this his Maty'es Province) is thought a Duty incumbant on me. Therefore That God-Almighty will direct You in this affair are the most hearty Wishes & Hopes of——

Council Chamber——

Fr Nicholson

June 15^o: 1724

The above Message from y^e: Govern^r: was read and that part of it taken under Consideration w^{ch}, relates to the Appointm^t: of an Agent

And Motion was made That the Question Should be putt Whether this h^o: will abide by their last Resolutions in relation to y^e Appointm^t: of an Agent——

And the Previous Question being putt whether the said Question Should be putt— Carried in the Negative

And then the Question was putt whether an Agent Should be appointed to transact y^e: affaires of this Province in Great Britain Carried in the Negative

And then the Question was putt Whether the h^o: will continue themselves any longer than the time limited by Law

Carried in the Negative

Nemine Contradictent——

John Lloyd Benj^m.. Whittaker & Rob^t: Fenwick Esq^{rs}: were appoint'd a Committee to draw an Ans^r: to his Exe^{cys} Message— Benj^a: Whittaker Esq^r: from the above Committee Reported the following Message.——

May it Please yo^r.. Exe^cy

This house having taken under Consideration Yo^r: Exe^{cys} Message of this day concerning the Continuance of this present Assembly Unanimously have resolved that there is noe Necessity of doing it at this present Juncture But this h^o: humbly hopes Yo^r: Exe^cy will be pleas'd to call a New Assembly as soon as possible because the Circumstances of this Country are always soe precarious with the Indians that We cannot be in safety without One longer than the time for calling them together——

This affair We take to be of soe much consequence to the Welfare of this Province That We should be wanting in our Duty to those who sent us if We did not in the Humblest Manner represent it to Yo^r Exe^cy and therefore We perswade our Selves that yo^r Exe^cy from the Concern you have constantly Shown for his Maty^{es} Interest and that of this Province—— will before our Dissolution give us reason to hope you will call Another Assembly in as small a Space of time as is necessary for that purpose

And as We conceive the situation of the affaires of this Province will verry soon require the Sitting of an Assembly We are therefore of Opinion That the Province will not Suffer if an

Agent is not Appointed 'till a New Assembly meets which We doubt not will Study the good of their Country & be verry agreeable to yo^r.. Exe^cy

The above Message was sent to his Exe^cy by Cp^t Pet^r Simmonds and Cp^t Joseph Seabrook——

And those Gent^lm: being return'd Reported to the House That they went to his Exe^cy with the said Message and having made some progress in reading the Same the Govern^{rs}: answer to them was, Goe I'll call an Assembly when I please & would not receive the said Message nor hear it read out——

The above Report upon a Question in this House was order'd to be enter'd in the Journal

Mr Secretary Hart brought from his Exe^cy the Governour the Two following Messages

Mr Speaker and Gentlemen

In answer to yo^r Address I Take it as an high Presumption and Unparliamentary to give Your Answer without a Committee of both houses as proposed and little less than Arbitrary

And in Answer to the Second Clause or Paragraph 'Tis my Opinion the later another Assembly be call'd the better & what further convinces me in it is your proposing it the Sooner the better for you can't but be sensible that I have an Accot: of what Sort of Men are intended to be Chosen & P^rtyes rais'd to choose y^m which if ever Accomplish'd the Country may date their Ruin from the time, for my part I hope I Shall never be flatter'd or terrify'd from doing my Duty to his Most Sacred Majesty

I Should have been verry glad if You had continu'd yo^r: firm Loyalty to his Most Sacred Majesty in complying with what I have now propos'd to you and not made soe hasty an Answer—

I Think None of You can justly Tax me with ingratitude or for not being Sincere in all my promises and proposals or that you can Tax me with having made my Fortune of what You Please to allow me which was but the same you did to the hon^{ble} James Moore Esq^r: when Govern^r.. and I think I may justly Challenge any person to accuse me of Malladministration Tho' Some P^rsons in this place not unknown to yo^r Selves have & Doe endeavour to be Elected but I thank God their Endeavours prove abortive And That their Letters Memorials & address I have already proved partly false partly Scandalous & partly

Malicious & I hope to be Able to doe the Like by those I have not Yet answered

I think I may without Vanity Say That I have Spent my time & my Own Estate whilst I have been here endeavouring to promote those two inseperables his Maty'es Interest and Service and that of this his Maty'es Province & I hope in God that wth. the advice and Consent of his Maty'es Hon'ble Council We shall Continue—— to promote the same & those hon'ble Gentlmen's firm Loyalty & Zeal I have alwayes found

I thank You for yo^r: Last Complim^t: but to return you the same is a verry Great Trouble to

Council Chamber }
June 15^o: 1724 }

Fr Nicholson

Mr Speaker and Gentlemen

On considering your address about Dissenters, I think they are not soe great a body of the people as you conceive but that you are misinform'd & That the Chief Body Body of this Province are of the Established Church

If it were soe how came there to be soe many Churches & Ministers but perhaps there are some persons that have a mind to pull down the Church and send their Ministers a begging I should be glad to know under what Denominations they pretend to be Dissenters what Ministers they have and their Members in each of their Congregations as to their being Serviceable to this Province and contributing to the Support of Governm^t: it is what they are obliged to by Law & their own Interests & I Suppose that verry few of them did noe more or soe much as the Members of the Church of England what they have done during my Administration has been only for the same reason as before & I have never found them to be more dutyful or loyal than the Members of the Church of England If they have I would have them prove it I'm Sure they cant justly tax me with oppressing them by debarring them of their Libertyes and Privileges or of Seizing their propertyes on Accot^t: of their Religion, and as what Small Charity I have given in this Town They have been partakers therein in the Employments both Civil and Military I have commission'd some of them and they have had the Liberty's of Swearing after the form of their profession and as for the Members of your house I sent you his

Maty'es Instructions which is now three yeares agoe and I think there was some instructions given by yo^r: House to the Agent concerning that affair but as yet I have had noe commands concerning it

I have for some time heard That a Bill was preparing this Acct: As for the Bill you sent up I told you in the Council Chamber That if I had had a mind to have trick't You in it I Should have pass'd it and then yo^r— Law concerning Assembly's had been in Danger, You having given me the just Occasion I can't but Lett You know that one M^r. Samuel Eveleigh presumptuously took upon him (to give it noe worse an Epithete) to keep an address to me from the Dissenters which the Rever^d. M^r.. Archibald Stobo acquainted Me with what Eveleigh did in this affair I take it to be Slighting his Ma'tyes Governmt: Therefore if You have a mind to Shew yo^r Loyalty & Zeal for his Maty'es Governmt: That you have this affair Strictly enquired into & y^t the said Eveleigh & others concerned therein be proceeded against according to Law——

Council Chamber

June 15^o. 1724

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Fr Nicholson

The House adjourn'd 'till tomorrow morning . 8 . of y^e Clock

Tuesday the 16th. day of June 1724

The House mett according to adjournment——

M^r. Secretary Hart brought from his Exe'cy the Bill for the better regulating the practice of the Law wth the following Indorsement:

In Council June 15th. 1724.

This Act not to be passd without a Clause that it shall not any way Effect his Maty'es Suites or the suit of any of his Maty'es Govern^rs for the time being as Govern^r..——

And the Bill for cutting and clearing the Creek from Wadboo Landing to the bridge built at William Newmans Path read in Council the third time & past with amendments..——

And the Petition of Jn^o: Jones Praying to be satisfied for goeing after Marr was referr'd to Coll^o: Geo: Chicken & Walt^r: Izard Esq^r:

May it Please yo^r: Exe'cy

We think it our duty to acquaint Yo^r: Exe'cy that it is our Opinion that the p^rsent General Assembly determines &

is disolv'd this day by the Act to ascertain the manner and form of Electing Members to represent the Inhabitants of this Province in the Commons House of Assembly &c^a. And Therefore We desire yo^r. Exe'cy will be pleas'd to pass this day such Lawes as lye before the General Assembly & We shall take care to dispatch y^e other necessary business before the House——

We send alsoe herewth. to yo^r. Exe'cy the Message of our h^o. of Yesterday which was brought back to us

Sent Up by Coll^o Arth^r Hall & Cp^t: Hen: Nichols——

On reading the Petition of John Jones

Resolved That the s^d Jones shall be p^d: Out of the Publick Treasury of this Province for himself & the three Men That Went with him to apprehend Marr the Sum^e of One hundred Pounds

John Lloyd Benja^a. Whittaker & Rich^d Allen Esq^r: were appointed a Com^{it}tee to draw an Ans^wr to his Exe'cys two Messages Sent to this H^o. Yesterday in the afternoon——

The Committee to whome the Acco^{ts}: of the hon^{ble} Cha: Hart Esq^r: Maj^r: Will^m Blakewey the Hon^{ble} Tho^s: Hepworth Esq^r. Speak^r: John Brown & Coll^o: Mich^l: Brewton were Referr'd Report

That there is due to the hon^{ble} Charles Hart Esq^r: For Publick Writing from the Fifth of February to the Tenth of June instant

£458..18^s..5^d

To Maj^r: William Blakewey as P his Acco^{ts}: 203..8..0

To the Messenger 38..0..0

To Maj^r Thomas Hepworth for his Coppy's of Acts... 53..4..0

That there is due Six Months Rent for his House..... 50..0..0

The Committee appointed to draw an answer to his Exe'cys= Two Messages received last Night Reported That they had drawn which They desired might be read which being read was agreed to and and order'd to be Engrossed

May it please your Exe'cy

In answer to yo^r Exe'cy's Message Last Night relating to the continuance of the Assembly tho' We have alway's Cultivated & kept good Understanding with his Maty^{es} hon^{ble} Council Yet We cannot be of Opinion That they had anything to doe with us in an Affair that could properly concern none but this House who are the Representatives of the people & where Libertyes

& priviledges were Verry much concern'd in continuing the p^rsent Assembly——

We are sorry yo^r: Exe^cy has soe ill an Opinion of the Inhabitants Of this Province as to think they will not choose Representatives for the next Assembly That will have at heart as much His Maty^es honour & Interest of this Province as the present One——

It is great Satisfaction to us that Your Exe^cy find noe other fault with our Loyalty but that we did not at yo^r pressing instances Revive the Assembly for a longer time than limited by Law which We could neither justifie to yo^r Selves or to our Electors unless a Sufficient reason had occur'd for that purpose But We Well know That our King that builds his happyness upon the Libertyes and priviledges of his Subjects will not think the worse of us for Supporting them

We are concern'd yo^r Exe^cy gives soe great a prefferance to the Council for Loyalty but We are in our opinions as Loyal as they and shall in our several Stations as oppertunity offers give Convincing Proofs thereof—

In answer to your Message of last Night Relating to the Dissenters This House never sayd they were the chief Body of this Province or that they exceeded the Church of England but We have experienced That such of them as are Members of this present Assembly have shew'd themselves good Good Subjects to the King good Friends to yo^r Exe^cy & soe willing on all Occasions to contribute to the Maintenance of the Clergy of y^e Church of England & to the building of Churches that considering how much it is for the Welfare of this province to have a good Understanding between his Maty^es Protest^t: Subjects We should have been Wanting to our Selves if we had not Apply'd to yo^r Exe^cy to ¶mitt them to Swear according to the form of their professions and as You have thought fitt to refuse Our Request we could Wish Your Exe^cy had done it in a more Obliging Manner

T Hepworth Speak^r.——

May it please Y^r Excell^{cy}.

The house takeing under Considerac'on the Verbal Message brought by Mr. Secretary Hart concerning the General Assembly sitting longer than this day. We are still of the same Opinion as we were in our Message to your Excell^{cy}: of this Morning, &

We desire that the Two laws past three times may be ratify'd, and the order past this day that no disputes may hereafter arise concerning the Legallity of our sitting any Longer.

The Two foregoing Messages sent up Coll^o: Arthur Hall & Capt Joseph Seabrook.

Mr Secretary Hart brought from his Excell^{cy}: the Governour the following Message

Mr Speaker & Gent^t:

By your Message just now reciev'd, wherein you give it as your opinion that the present general Assembly determines this night. We have consider'd the Clause of the Act relateing to the Dissolution & are of a Contrary Opinion for by the Letter of the Law, Tomorrow being Wednesday. is included, so that the general Assembly subsists till Wednesday Twelve aClock at Night

Fra: Nicholson

June 16th 1724

The house adjournd till 2 of the Clock in the afternoon

The house mett according to adjournment^t:

Mr Secretary Hart brought from his Excell^{cy}: the Govern^r the following Message.

Mr Speak^r & Gent^t:

In Answer to that part of your message of no date about Exchanging the old bills, I suppose some of your house and their Particular friends, have reasons to delay it. Tis impossible to give a true state of this Province, till all the old bills be destroy'd The delay of w^{ch}: if it be a prejudice to this Country let it lie at your door. As to the £3500 after you are up Youl have no power to dispose of it. To that part relateing to the french deserters I am not of your Opinion, that it will weaken the French & Strengthen your selves. but rather the reverse, and as for the law of Nations, & Entertaining deserters w^{ch}: are generally rouges & Spys; in this Case I have had more Experience than to be Concluded by your message, But if any Accident happens which God forbid, Let it lye at your doors and I think it gives an handle for the French to make reprizals./

You are of Opinion that makeing alarms may be attended with ill Consequence; I think otherwise, and it being in my Power I shall do it when I think proper; to see the readiness of the militia and to punish those that are not provided according to law. As to sending to you about Plantation Bonds. Tho'

it does fall under my Province and the Officers of the Customes, yet I sent to you to shew you that I take as much thought & pains, that the Inocent go free as the Guilty be punish'd. As to the affair of the Pews: I take it that the Commiss^{rs}: have no power to appoint any for the School Master, Usher, Scholars, Masters of Ships, & Vessels or any other for Publick use, which was the reason that I wrote to you that a Com^{it}tee of both houses Should do it. I am Sorry that Coll^o Chicken, should give such an order as to send down the publicks Periago on such conditions as you say. But the four hands were likewise the Publick's, and shall take care that no such thing be done for the future: and I say t'was an high Presumption to send any of the Publicks men under Com^{and} of any private Person As to the old house in the broad street being a Nuisance by Entertaining Lewd & disorderly Persons I shall give directions to the Church Wardens that the same be pulld down. There are several other things you have not yet Answer'd, which is thought a duty incumbent on you by

Council Chamber June 16th: 1724

Fra Nicholson

The Com^{it}tee of Petitions & Accounts made the foll^g: Report
The Com^{it}tee of this hon^{ble}: house appointed to Examine the
Several Petitions and Accounts to them Referrd do report as
foll^s: vizt:

Having Examⁱⁿ'd the Com^{iss}^{rs} of the Tax Acco^{ts}. for the year
1719 we find by reason of defaulters outstanding the

Sum of£772.. 4.. 10.

In the Year 1720/1.....£924.. 3.. 5

In the year 1722.....1103..17.. 8½

We find due to M^r Izard for beef & Pork supplyd

fort Moore..... 42..10.. „

We find due to Richard Rowe for 12 days Assessmt. 25..17.. 6

We find due to John Harris for watching at the

lookout 18.. .. „ ..

We find there is due to George Mitchel for sup- }

plying the horseshoe Garrison with Corn as } 25.. .. „ .. „

appeerrs & Affidavt. }

We find there is due to Jos^l: Massey for makeing }

a Screw Plate for the great Seal..... } ..12.. .. „ .. „

We find due to Jas: Kilpatrick for engrossing several Adresses & duplicates thereof.....	}	...5.. .. " .. "
We find there is due to Rob ^t : Gilerist for Victu- alling the Indians at several times.....	}	..15.. .. " .. "
We find is due to James Rawlins for Supplying the Indians w th . Provisions that came down w th : Coll ^o Hastings	}	...5.. .. " .. "
We find due to Charles Burley for engrossing Three Acts of Assembly at the last Sitting of this house am ^t in the whole to 35 long sheets at 2/ Each	}	...3.. 10..
We have allowd Cap ^t Mongers Acco ^{ts} : for sundrys Suplyd Fort Moore by Order of the Com ['] issioners	}	..40.. . 5..
We find due to Coll ^o Hastings for 3 Indian Slaves brought down to this Govern ^t	}	.150.. .. "
We likewise find due to the s ^d : Hastings for 5 Indian Scalps	}	.250.. .. "
We have Considerd an Acco ^t of Jos ^r : Caballa for 2 years Service at £8 7 ^d m ^o being hird by the Govern ^r . Coll ^o Moores Order as we are in- formd by Coll ^o Hastings.....	}	.192.. .. "
Having Considerd the Petition of Alexand Robinson We are of Opinion that the Prayer thereof be Granted.....	}	Left to his Excell ^{cy} Clemency
We find that the Com ['] ission ^{rs} of the Tax in the year 1719 have chargd the Publick for find- ing Clerks Pens Ink & Paper £350.....	}	Charges of the Comiss ^{rs} allowd.
We Likewise find another Charge to the s ^d : Com ['] ission ^{rs} for Extraordinary Expences. £450 for Paym ^t of w ^{ch} : Sum's we find no Law....	}	£800 .. " ..
We find a Charge of the Com ['] ission ^{rs} of the Tax in the y ^r 1721/2 for Clerks, Pens Ink & Paper for w ^{ch} . they produc ^t a Copy of a Law.....	}	Charges of the Comiss ^{rs} allowd 350

We find another charge of the Com ^{mission} rs in the year 1722 for Clerks, Pens, Ink & Paper for all which Charges We find no law that allows the same.	} £350.... „
We have Considerd the Account of Thomas Conyers for hanging the Pirates, buying of Ropes & Dinners for the Court of Com ^{on} Pleas & Sessions ought to be rejected	} Rejected
We have examined Jacob Wrights account & find due to him for keeping an Indian Prison at Beaufort 266 day at 5 ^s / 7 ^d day.....	} allowd 33.. 5..
We have Examind Jos: Seabrooks Acco ^t for the hire of two Watch men & Vituals for 2 Weeks	} allowd 8
We, find by further Examination that Doct ^r Fisher has been fully paid, and that nothing is due to him from the Publick.	
We find due to Cap ^t Monger for a Negro killd but no Certificate produc'd by the s ^d . Monger the Justice who orderd him killd being dead	} £100.. - - -
We find due to Martha Washinton for a Negro killd by the same Magestrates order & no Certific ^e produc't	} 100.. - - -
We find due to Ja ^s : Southerland as 7 ^d Account.....	9.. 15.. - -
We find due to Coll ^o Paris as 7 ^d Account for supplying the Spaniards	} 9.. 2.. 6
Ditto for Supplying the French Sloop.....	7.. 5 - - -
Ditto for supplying the Tallapouse Indians w th provisions & Presents by Order of the general Assembly am ^t to	196: 26
We find in the last Estimate £100 is provided for Coll ^o Hastings & that he has been in the Publick Service 2 years & that he has rec'd four hundred Pounds	} no more due

We find due to Coll ^o Paris for supplying John-	
sons fort as \mathcal{P} his Account	36: 16: 10
Ditto for supplying the Savana Garrison.....	75.. 6: 10
Ditto for supplying Fort Prince George.....	27: 18. 9
We find due Mr. W ^m Loughton for supplying the	40 - - - -
Spaniards	

Mr Secretary Hart from his Excell^{cy}: brought the following Message.

Mr Speaker & Gent

In Answer to your Message of no date brought up this Morning I dont see any reason to alter what was done last night But I have found by several of your Messages that they have been very variable & one hath been inconsistent wth. another & too hastily resolvd upon & if your Reasons be true w^{ch} you alledge about calling Assemblys that it can't be done under forty days, then I had good reason to propose the continuance of the Assembly, & if any Accident should happen which God forbid. Let the blood or mischiefs that occur thereby be at your doors, and whether your Proceedings or mine are most right, his Majesty will be the best judge for God willing the whole Proceedings shall be sent to the right hon^{ble}: Lords Com^{rs}: for trade & Plantations

Fra: Nicholson

Upon Perusing Mr Younges Letter to the Com^{tee} of Correspondence of the 15th March last, wherein among other things he says that Mr Eyre has rec'd the Money this Province disbursd on acco^t of building Fort King George, and promis'd to pay £300, and he believes Mr Eyres reckons this Province will take the brass money for the rest

Resolvd

That as this house never sent for this Brass Money, nor never would receive the same as they formerly signifyd to his Excellency and requested him to acquaint Kingsmil Eyre therewith, so we desire the same may again be notifyd to him, as also that this Province dos not nor will not meddle with it on any account, so that Mr Eyre may dispose of the same as he thinks fitt, and that he pay the Money he has receivd on Acco^t of building Fort

King George to Mr Sam^l Wragg for the use of the Publick of this Province.

The house reading the Report of the Com^{it}tee of both houses on acco^{ts} & Petitions

Resolv'd

That all Such arrears of Taxes as are due Pursuant to the Several Lists return'd by the Late Tax Com^{iss}^{rs} be forthwith recover'd by the Treasurer Pursuant to the last Tax Law——

Resolv'd

That the Report of Sam^l Pickerin, W^m. Yeomans & John Ellis be enter'd in the Journal.

Orderd

That Mr Speaker do sign the late Tax Com^{iss}^{rs} Accounts Pursuant to the above report

To The Hon^{ble}: Thomas Hepworth Esq^r. & the rest of the hon^{ble}: Members of the Com^{ons} house of Assembly—

The report of the Persons appointed to settle the acco^{ts}. of the Commiss^{rs} for receiving the late Taxes.

In Pursuance to an order of the hon^{ble}: house appointing us to settle & adjust the Acco^{ts}: of the Com^{iss}^{rs} for recieving the late Taxes. We have duely Examind & stated the s^d: Accounts: and have compar'd every Article wth: their Proper Vouchers & wherein the s^d Com^{iss}^{rs} had by mistake com^{it}ted an Error we took care to rectifie the Same & find the ball^{ce}: due to the Publick in the s^d Com^{iss}^{rs} hands to be £1712.. 16.. 9 & the Sum of £2800: 6: 4 defaulters 7^p three Several Lists & find the Sum of £1098: 12: 3³/₄ for sundry Charges, charg'd by them for Paying of the several Garisons Scouts &c^a for w^{ch}. there was no Provision made in the Law therefore refer the same to your honours and we are

Your hon^{rs} most obed^t humbl
Serv^{ts}

John Ellis
Sam^l Pickering
W^m Yeomans.

Resolv'd

That the house of Maj^r. W^m. Blakewey is the proper house & office for keeping all the Original Journals Papers and other Escripts & Miniments belonging to this house & the former Assemblys of this Province

Resolv'd

That the s^d: William Blakewey may Deliver out Copys of all or any Original Papers belonging to the Present or former Assemblys to any Persons Desireing the Same paying the usual Fees, But that he do keep the Originals in his own Custody till he be Legally discharg'd thereof by the next Succeeding Assembly.

May it Please your Excell^{cy}:

We herewith send to your Excell^{cy}: the Resolution of this house concerning the Brass Coin, & desire the Concurrence of your Excell^{cy}: and his Maj^{ts}: Council thereto

Before the above Message was sent up the house had an Account the Council was adjornd

Mr. Secretary Hart brought from his Maj^{ts}: Council the following Message./

Mr Speaker & Gent.

In your Answer to his Excell^{cy}s: Message of last night relating to the Continuance of the Assembly you tell him, that tis your opinion that the Council has nothing to do in that affair w^{ch}: only Concerns your house as the representatives of the People. We are not at present Sensible wherein we have Concern'd ourselves.

We Rather believe you meant his Excell^{cy}: the Govern^r tho you did not care to mention him, w^{ch} if it was your meaning We desire you would explain yourselves. if otherwise We are desirous to be inform'd Wherein his Maj^{ts} Council have been so overbusy in this Affair as your Message seems to impart

Thô should we at any time think fitting to give our Opinion for the Continuance of an Assembly when we thought the Necessity & Affairs of the Countrey requires it, We should not take it to be intermeddling wth. Affairs that did not Concern us.

As to his Excell^{cy}s: Opinion of the Loyalty of his Maj^{ts}. Council We find it not Strange that you differ wth: him in that as you do in many other things

June 16 1724

Ar: Middleton

John Loyd Esq^r Richard Allein Esq^r & Cap^t Robert Fenwicke were appointed a Com^{it}tee to Answer the Message of the Council

Mr Secretary Hart brought down Thirty Six Orders Concurr'd and Assented to in Council & acquainted the house that the Council are of Opinion that the General Assembly is not Dissolv'd till Tomorrow Twelve Of the Clock at Night, & that the Council was adjourn'd till Tomorrow Morning 8 of the Clock.

The house having recd Notice by Mr Secretary Hart that His Maj^{ty}. hono^{ble}. Council was adjourn'd till tomorrow morning 8 of the Clock. It is therefore the Opinion of this house that this house cannot adjourn till tomorrow the Present General Assembly Expiring this Sixteenth day of June.

Resolv'd therefore that this General Assembly is Determin'd

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